

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN PHILIP SCHANON,

Defendant.

INDICTMENT

CR 10-296 JRT/JJK

) (21 U.S.C. § 841)
) (21 U.S.C. § 841(a)(1))
) (21 U.S.C. § 841(b)(1)(A))
) (21 U.S.C. § 846)
) (21 U.S.C. § 853)
) (21 U.S.C. § 853(p))
) (18 U.S.C. § 922(a)(1)(A))
) (18 U.S.C. § 922(g)(1))
) (18 U.S.C. § 924(a)(1)(D))
) (18 U.S.C. § 924(a)(2))
) (18 U.S.C. § 924(c))
) (18 U.S.C. § 924(d))
) (28 U.S.C. § 2461(c))

THE UNITED STATES GRAND JURY CHARGES THAT:

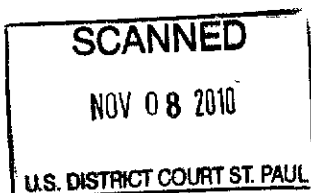
COUNT 1

(Conspiracy to Possess with the Intent To Distribute
Methamphetamine)

From a date unknown to the Grand Jury, but at least as early
as June 2010, to on or about October 17, 2010, in the State and
District of Minnesota, the defendant,

JOHN PHILIP SCHANON,

did, unlawfully, knowingly and intentionally conspire with others
whose names are known and unknown to the Grand Jury, to possess
with the intent to distribute fifty (50) grams or more of
methamphetamine, in violation of Title 21, United States Code,
Sections 841(a)(1), 841(b)(1)(A) and 846.



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COUNT 2

(Possession with the Intent To Distribute Methamphetamine)

From on or about September 26, 2010, to October 17, 2010, in the State and District of Minnesota, the defendant,

JOHN PHILIP SCHANON,

did unlawfully, knowingly and intentionally possess with the intent to distribute fifty (50) grams or more of methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and 846.

COUNT 3

(Felon in Possession of a Firearm)

On or about June 2, 2010, in the State and District of Minnesota, the defendant,

JOHN PHILIP SCHANON,

having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, namely:

CHARGE	OFFENSE DATE	CONVICTION DATE	JURISDICTION
Homicide by Negligent Vehicle Operation	June 11, 2001	April 29, 2002	St. Croix County, WI
5th Degree Possession of a Controlled Substance	October 23, 2008	February 1, 2010	Ramsey County, MN

did knowingly and intentionally possess in and affecting interstate and foreign commerce, a firearm, namely one (1) ROMARM Draco model

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pistol, serial number DR-6992-09 RO, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 4

(Unlicensed Dealing in Firearms)

Between on or about June 1, 2010 and October 17, 2010, in the State and District of Minnesota, the defendant,

JOHN PHILIP SCHANON,

did engage in the business of dealing in firearms, without being a licensed dealer in firearms, all in violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

FORFEITURE ALLEGATION

As a result of committing one or more of the controlled substance offenses alleged in Counts One and Two of this Indictment, defendant,

JOHN PHILIP SCHANON,

shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds he obtained directly or indirectly as a result of the violations alleged, as well as any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of a violation alleged in Counts One and Two of this Indictment, including but not limited to the following:

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a. MONEY JUDGMENT

A sum of money equal to Eight Thousand Dollars (\$8,000.00) in United States Currency, representing the value of the methamphetamine used to commit or facilitate the commission of the offenses charged in Count One (Conspiracy to Possess with Intent to Distribute Methamphetamine) and Count Two (Possession with Intent to Distribute Methamphetamine).

b. CURRENCY

One Thousand, Two Hundred (\$1,200.00) dollars in United States Currency recovered in St. Paul, Minnesota on or about October 17, 2010.

All in violation of Title 21, United States Code, Sections 841(b)(1)(A) and 846 and 853.

If, as a result of any act or omission of the Defendant, any property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;

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- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

the United States intends, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said Defendant, up to the value of the above forfeitable property.

Furthermore, upon conviction of one of the offenses alleged in Counts Three and Four of this Indictment, defendant,

JOHN PHILIP SCHANON,

shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of the offenses, including but not limited to the following:

- a) One (1) ROMARM Draco model pistol, bearing serial number DR-6992-09 RO, recovered on June 2, 2010, in Maplewood, Minnesota;
- b) One (1) Remington model 870 shotgun, recovered on June 20, 2010, in Stillwater, Minnesota; and
- c) One (1) D.G.F.M., model 1927, 11.25 mm pistol, bearing serial number 44434, sold by defendant on September 26, 2010, in or around Avery, Wisconsin, and recovered in the District of Minnesota on September 26, 2010.

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All pursuant to Title 18, United States Code, Section 924(d) and
Title 28, United States Code, Section 2461(c).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON